

MEMORANDUM

TO: Transfer No. 76332

FROM: Sharla

DATE: March 4, 2010

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to correct the legal description of the points of diversion and place of use. The error was discovered when preparing change of ownership documents. Partial decrees were issued based on the rights as recorded and because the right holders own property in several 40 acre tracts, they didn't verify that the data entry on the claims was correct. The transfer will serve to make the corrections and take care of placing both the rights into the name of the surviving widow of the right holder of record. See my memo dated 2/18/2010 for additional info.

Deviations from Transfer Policy Standards

Because this transfer is simply to correct the legal descriptions decreed in error, no advertising will be conducted for this transfer.

Summary of Information Submitted

Authority to File: Documentation changing the ownership into Doreen Collinsworth's name is included with the transfer application as described in my 2/18/10 memo referenced above. Thus, Mrs. Collinsworth has the authority to proceed with the transfer application.

Water Right Validity: Rights presumed to be valid. The partial decrees were issued in 1998, however, beneficial use is confirmed by Payette Co. Assessor's office data and the 2009 ArcView photo confirming the existing of a home and lawn irrigation.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No enlargement is proposed. The transfer simply corrects the legal descriptions of the points of diversion and place of use.

Local Public Interest: A home and some land to raise stock could be considered the American Dream and definitely fits the definition of public interest.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Summary

Assuming other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.